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S&H Form: (2/01)

Docket No.: 1594.1290

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Dae-Sung HAN, et al.

Application No.: 10/691,551

Group Art Unit: 3726

Filed: October 24, 2003

Examiner: David BRYANT

For: GRILL UNIT, METHOD OF MANUFACTURING THE GRILL UNIT AND COOKING APPARATUS WITH THE GRILL UNIT

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed February 3, 2006, having a shortened period for response set to expire on March 3, 2006, the following remarks are provided.

I. Provisional Election of Claims Pursuant to 37 CFR §1.142

Applicants provisionally elect Group I (claims 1-7 and 10-17) in response to the preliminary restriction requirement set forth in the Office Action.

II. Applicants Traverse the Requirement

Insofar as Group II (claims 8, 9 and 18) is concerned, it is believed that claims 8, 9 and 18 are so closely related to elected claims 1-7 and 10-17 that they should remain in the same application. The elected claims 1-7 and 10-17 are directed to, for example, water tanks made of a resin material and claims 8, 9 and 18 are drawn to, for example, molding the water tank by injecting molten resin. There have been no references cited to show any necessity for requiring restriction. It is believed, moreover, that evaluation of all sets of claims would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicants in having to protect the additional subject matter recited by the Group II claims by filing a divisional application.

MPEP §803 sets forth the criteria for restriction between patentably distinct inventions.

(A) indicates that the inventions must be independent (see MPEP §802.01, §806.04, §808.01) or distinct as claimed (see MPEP §806.05-806.05(i)); and (B) indicates that there must be a serious burden on the Examiner if restriction is required (see MPEP §803.02, §806.04(a)- §806.04(i), §808.01(a) and §808.02). The Examiner has not set forth why there would be a serious burden if restriction is required.

III. Conclusion

Upon review of references involved in this field of technology, when considering that the elected Group I claims are directed to, for example, water tanks made of a resin material and claims 8, 9 and 18 are directed to, for example, molding the water tank by injecting molten resin, and when all of the other various facts are taken into consideration, it is believed that upon reconsideration of the Examiner's initial restriction requirement, all of the pending claims should be examined in the subject application.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition for allowance.


If any further fees are required in connection with the filing of this Amendment, please charge the same to our deposit account number 19-3935.

Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 3-3-06

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